

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00179

LEVI CARTER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On November 21, 2016, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Levi Carter, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Joseph Black. The defendant commenced a three-year term of supervised release in this action on June 3, 2016, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on January 14, 2016.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to submit a truthful complete written report for June and July 2016; (2) the defendant was directed by the probation officer on June 28, 2016, to report to the probation office on July 5, 2016, and he failed to report on that date or any date thereafter, rendering his whereabouts unknown; and (3) the probation officer mailed a letter to the defendant on August 3, 2016, which the defendant says he did not receive, directing him to report to the probation office on August 11, 2016, and the defendant's whereabouts continued to remain unknown; all as admitted by the defendant and all as set forth in the petition on supervised release.

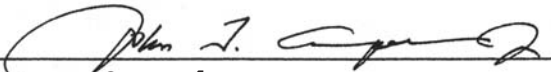
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THREE (3) MONTHS, to be followed by a term of thirty (30) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3, and the special conditions that he (1) spend a period of three (3) months in a community confinement center, preferably Dismas Charities, and follow the rules and regulations of the facility, and (2) engage himself in full-time lawful, gainful employment and support his dependents.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 30, 2016



John T. Copenhagen, Jr.
United States District Judge